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ATTORNEY FOR PLAINTIFF(S)

UNITED STATES FEDERAL COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

VALERIE THAMES, an individual,
CHRISTOPHER SMITH, a minor, by and
through his Guardian ad Litem, AISHA
ROACH,

Plaintiffs,

vs.

UNITED STATES OF AMERICA; SAN
FRANCISCO VETERANS
ADMINISTRATION MEDICAL CENTER,
DOES 1 through 50 inclusive,

Defendants,

No. 08-2617 SC

STIPULATION RE: SETTLEMENT AND
VACATING PRE-TRIAL AND TRIAL
DATES; FURTHER CASE STATUS
~~[Proposed Order]~~

Trial Date: June 15, 2009

IT IS HEREBY STIPULATED by and between the parties hereto that the
captioned matter has been settled. Based thereon, the parties request that all pre-trial
and trial dates be vacated.

This is a case of medical negligence and the settlement is made on behalf of an
adult and minor child. A Petition for a Minor's Compromise will be required for the
portion of the settlement applicable to the Minor. It is also anticipated that Trusts

and/or Special Needs Trusts may be necessary for the Plaintiffs to maintain their current health care benefits. Thus, preparation of these documents and the necessity of a further hearing on obtaining the Court's review of the minor's compromise will require additional time, hopefully not to exceed 90 days, before the Minors Compromise Petition may be heard and the case subsequently dismissed. Should additional time be required, another stipulation can be filed by the parties in a timely fashion.

DATED: April 2, 2009

DORIT LAW FIRM

/s/

J NILEY DORIT

Attorney for Plaintiffs

DATED: April 2, 2009

JOSEPH P. RUSSONIELLO

United States Attorney

/s/

MICHAEL T. PYLE

Assistant US Attorney

Attorney for Defendants

ORDER

Good cause appearing, IT IS ORDERED THAT:

1. All pre-trial and trial dates are vacated;
2. Plaintiffs' counsel shall prepare and file for hearing before this Court a Petition for Minor's Compromise and any related pleadings;
3. If the Plaintiff fails to file a Petition for Compromise and obtain a hearing date for said Petition to take place on or before July 2, 2009, the parties shall file a further Joint Statement and Stipulation Re: Case Management setting forth the reasons why such Petition has not been filed and a proposal for further case management.

DATE: April 3, 2009

HON. SAMUEL CONTI

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